

1143 East 70<sup>th</sup> Ave Anchorage, AK 99518  
Tel 907-349-0016 Fax 907-344-8690

**Microcom**

June 7, 2003

Federal Communications Commission  
Media Bureau  
445 12<sup>th</sup> Street SW  
Washington, DC 20554

RE: Docket 03-82

We have forwarded the attached letter to the State of Alaska Attorney's General's Office in Anchorage.

Tom Brady  
Manager of Data Services

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June 6, 2003

State of Alaska  
Office of the Attorney General  
1031 W. 4<sup>th</sup> Ave Suite 200  
Anchorage, AK 99501

RE: False and Misleading Advertising  
Pro Satellite  
5590 Morehouse Dr  
San Diego, CA 92121

The new Anchorage Yellow Pages includes an advertisement on page 1404, a copy of which is attached, that purports to offer a free DirecTV system including installation. When I contacted Pro Satellite, the company that placed the ad, I was told DirecTV did not provide service to Alaska. In a subsequent contact, I was referred to the DirecTV's sales line. The DirecTV sales agent asked me to contact a local electronics retailer that sold DirecTV since it required a larger dish. There are no retailers in the Anchorage area to contact.

This ad would seem to constitute a violation of both state and federal law dealing with false advertising claims in that the company:

- a. makes false and misleading statements about the availability and price of DirecTV in Anchorage.
- b. is engaging in conduct creating likelihood of confusion or misunderstanding about the availability of satellite television services in Anchorage and other areas of the state.

Not only is the offer listed in this ad not available to Alaska consumers, potentially it could result in damage to our business and the business of other satellite retailers. The ad can create the false impression among consumers that satellite TV services in general do not include Alaska or the consumer must purchase a significantly larger dish to receive them. This is not true for Dish Network, another satellite TV provider, whose dish size and pricing is not significantly different from other states.

We request your office investigate this advertisement as a violation of Alaska law.

Tom Brady  
Manager of Data Services

1 Attachment

